

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

In re:

KEITH LLOYD PAPENDICK and
CYNTHIA KAY PAPENDICK,

Case No. HK 12-00452
Chapter 7

Debtors.

**ORDER RE: FEDERAL NATIONAL MORTGAGE ASSOCIATION'S
DECEMBER 18, 2012 MOTION - RELIEF FROM STAY**

At a session of said Court of Bankruptcy, held in and for
said district on JAN - 3 2013.

PRESENT: HONORABLE JEFFREY R. HUGHES
United States Bankruptcy Judge

On December 18, 2012, Federal National Mortgage Association ("Creditor") filed a document entitled "Motion for Relief from Automatic Stay & to Waive the Provisions of F.R.B.P.4001(a)(3) as to Federal National Mortgage Association ("Fannie Mae"), Creditor c/o Seterus, Inc." Creditor served the motion pursuant to LBR 9013 and Debtors in turn filed a timely response.

Creditor's motion is based upon there being no equity in the subject collateral. Cf. 11 U.S.C. § 362(d)(1). Moreover, Debtors do not deny in their response that there is no equity in the property. And finally, Debtors' sworn schedules indicate that there is no equity in the property. Therefore, Creditor's motion will be granted without a hearing notwithstanding Debtors' response. LBR 4001-1(b)(2).

For the reasons stated, the automatic stay is modified so that Creditor may enforce its rights in the property described in its December 18, 2012 motion as 21215 North Uldriks Drive, Battle Creek, Michigan. Enforcement shall be consistent with Creditor's note(s) and security agreement(s)/mortgage(s)/lease(s) and in accordance with federal and state law.


Hon. Jeffrey R. Hughes
United States Bankruptcy Judge

1/3/13

A copy of this order has been served by the court pursuant to its CM/ECF electronic notification procedures upon:

Robert J. Pleznac, Esq.
Brett Borderl, Esq.
Laura J. Genovich, Ch. 7 Trustee